

**THE JUDICIAL SALARIES AND ALLOWANCES
DETERMINATION (NO. 2) 1987**

PURSUANT,—

- (a) In relation to the Chief Justice, the President of the Court of Appeal, the Judges of the Court of Appeal, and the other Judges of the High Court, to both section 9A (1) (a) and (b) of the Judicature Act 1908 (as inserted by section 2 of the Judicature Amendment Act (No. 3) 1985) and the Higher Salaries Commission Act 1977:
- (b) In relation to the Chief Judge of the Arbitration Court and the other Judges of the Arbitration Court, to both section 39 (1) (a) and (b) and (2) of the Industrial Relations Act 1973 (as substituted by section 2 of the Industrial Relations Amendment Act (No. 2) 1985) and the Higher Salaries Commission Act 1977:
- (c) In relation to the Chief Judge of the Maori Land Court and the other Judges of the Maori Land Court, to both section 21 (1) (a) and (b) of the Maori Affairs Act 1953 (as substituted by section 2 of the Maori Affairs Amendment Act (No. 2) 1985) and the Higher Salaries Commission Act 1977:
- (d) In relation to the Chief District Court Judge, the Principal Family Court Judge, the Principal Planning Judge, and the other District Court Judges, to both section 6 (1) (a) and (b) of the District Courts Act 1947 (as substituted by section 2 of the District Courts Amendment Act (No. 3) 1985) and the Higher Salaries Commission Act 1977:
- (e) In relation to Masters of the High Court, to both section 26F (1) (a) and (b) of the Judicature Act 1908 (as inserted by section 5 of the Judicature Amendment Act 1986) and the Higher Salaries Commission Act 1977,—

the Higher Salaries Commission hereby makes the following determination (to which is appended an Explanatory Memorandum).

DETERMINATION

1. Title and commencement—(1) This determination may be cited as the Judicial Salaries and Allowances Determination (No. 2) 1987.

(2) This determination shall be deemed to have come into force on the 1st day of December 1986.

2. Salaries of Judges—The salaries payable to the Judges specified in the First Schedule to this determination shall be paid at the respective rates set out in that Schedule.

3. Allowances of Judges—Allowances for general expenses shall be paid to the Judges specified in the First Schedule to this determination at the respective rates set out in that Schedule.

4. Revocations and saving—(1) The determinations specified in the Second Schedule to this determination are hereby revoked.

(2) Notwithstanding the revocation by subclause (1) of this clause of the Judicial Salaries and Allowances Determination 1985, the allowance provided for in clause 3 (2) of that determination (as inserted by clause 2 of the Judicial Salaries and Allowances Determination 1985, Amendment No. 1) shall continue to be paid and shall not affect the payment of allowances under clause 3 of this determination.

SCHEDULES

FIRST SCHEDULE
SALARIES AND ALLOWANCES

Cls. 2, 3

Office	Yearly Rate of Salary Payable on and After 1 December 1986	Yearly Rate of Allowance for general expenses Payable on and After 1 December 1986
Chief Justice	132,000	6,000
President of the Court of Appeal	127,600	4,800
Judge of the Court of Appeal	123,200	4,200
Judge of the High Court ..	118,800	4,200
Chief District Court Judge ..	102,300	3,600
Principal Family Court Judge	97,900	3,600
Principal Planning Judge ..	93,500	3,600
District Court Judge ..	91,300	3,000
Chief Judge of the Arbitration Court	118,800	4,200
Judge of the Arbitration Court	106,700	3,600
Chief Judge of the Maori Land Court	97,900	3,600
Judge of the Maori Land Court	91,300	3,000
Master of the High Court ..	85,800	2,400

Cl. 4

**SECOND SCHEDULE
REVOCATIONS**

Title	Statutory Regulations Serial Number
The Judicial Salaries and Allowances Determination 1985	1985/288
The Judicial Salaries and Allowances Determination 1987	1987/1

Dated at Wellington this 14th day of April 1987.

J. DUNMORE,
Chairman.

J. T. F. FRANCIS,
Member.

G. L. JACKSON,
Member.

EXPLANATORY MEMORANDUM

This Judicial Salaries and Allowances Determination is part of the General Review of all the positions within the jurisdiction of the Higher Salaries Commission, as at 1 December 1986.

Jurisdiction and Procedures

1. The Higher Salaries Commission Amendment Act (No. 2) 1985 provides (inter alia) that the Commission shall have the function of considering and determining the salaries and principal allowances of the Judiciary. The Amendment Act further provides that the Commission, in determining Judicial salaries, shall have regard to the criteria prescribed by section 18 of the Higher Salaries Commission Act 1977.

2. In the Commission's 1978 and 1981 Reports and in the Judicial Salaries and Allowances Determination 1985, the principles applied in the framing of the Commission's recommendations and making its determinations were enunciated and it is considered that these principles are still valid. It is not necessary to reiterate them here.

3. In respect of this General Review, written submissions were made by the Judges of all jurisdictions in respect of their salaries and allowances and these submissions were the subject of full discussion between the Commission and their representatives. The Commission also sought and obtained information, advice, and opinions from a number of other relevant sources.

4. The careful consideration given to the submissions both written and oral, and the other evidence that has been placed before it by various parties and to the question of relativities between the various jurisdictions of Judges has been negated by the Higher Salaries Commission Amendment Act 1987, which restricts any increases in salary to a maximum of 10 percent. The Commission has therefore determined accordingly.

Allowances

5. The Commission gave careful and detailed consideration to the submissions received on this subject, and new allowances have been determined which the Commission considers to be fair and appropriate.

Superannuation

6. The Commission received submissions from the Judiciary on judicial superannuation. The Commission has not yet completed its deliberations on this matter and will make recommendations at a later date to the appropriate Ministers.

Issued under the authority of the Regulations Act 1936 and section 12B(3) of the Higher Salaries Commission Act 1977.
Date of notification in *Gazette*: 15 April 1987.